

BILINGUAL FORENSIC TRANSCRIPT
OF EIGHT (8) SEPARATE RECORDINGS

Content from 8 av files from CD labeled: Exhibit N-45: CC-12-0169: 10-22-13:

Consensual recorded audio and video from an undercover vehicle

Prepared for the U.S. District Court for the District of Massachusetts Criminal Case:

U.S. v. Ivan Cruz-Rivera and Carlos Jimenez, 16-CR-40025-TSH

Transcribed and Translated by:

Joaquín Font, United States Court Certified Interpreter

Participants & Voice Designations

Voice 1 - **TFO - TFO JOHN MAKI**

(First heard on recording 1, time code 11:52:51)

Voice 2 - **UC - UNDERCOVER OFFICER (driver)**

(First heard on recording 1, time code 11:53:11)

Voice 3 - **CS (CONFIDENTIAL SOURCE) (passenger)**

(First heard on recording 1, time code 11:54:04)

Voice 4 - **SG (SEGUNDO GUTIERREZ)**

(First heard on recording 1, time code 12:07:10)

Voice 5 - **V5**

(Voice of second male present at the garage, first heard on recording 1, time code 12:07:34)

Child Voice - **CV**

(Voice of main contact at the garage, first heard on recording 1, time code 12:07:36)

Female Voice - **FV**

(First heard on recording 1, in background, time code 12:09:27)

Voice 6 - **OV (OFFICER VOICE OR VOICES)**

(Voice of 1 or 2 officers, first heard on recording 2, time code 12:22:10)

Note 1: Voice Designations provided by the U.S. Attorney's Office in Worcester, Massachusetts.

Note 2: Frequent radio broadcast and occasional faintly audible cellphone speech in background.

Transcription Key

[] encloses transcriber-translator's notes or interpretation

[p] pause

[UI] unintelligible utterance or set of utterances

/ Separates two options in a translation, both of which are valid, the first of which is considered superior

[o] Overlapping voices

Italics Italics in the left-hand transcription column indicate Spanish source language; in the right-hand translation column, they indicate emphasis in tone by the speaker.

Time Code

Note: Each of the eight sections below corresponds to the eight recordings in Exhibit 45, whose time code is discontinuous from one to the other. For ease of reference and review, time code is provided at several points in the content, and also at every two minutes of the recordings.

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FIRST OF EIGHT RECORDINGS

Transcription

Translation

1.	TFO	[11:52:49] TFO John Maki, October fourth, two thousand thirteen. CS is attempting to make a hundred-and-twenty-five-gram heroin buy from Segundo Gutierrez at one oh seven Union Street, Leominster. [Bell or beep sound] Alright. He'll show you how to get there.		[11:52:49] TFO John Maki, October fourth, two thousand thirteen. CS is attempting to make a hundred-and-twenty-five-gram heroine buy from Segundo Gutierrez at one o seven Union Street, Leominster. [Bell or beep sound] Alright. He'll show you how to get there.
61.	CS	[12:06:54] [Gets out of car and speaks towards building] ¿Cómo está, caballero? [12:06:59] [Music is turned off]		[12:06:54] [Gets out of car and speaks towards building] How are you doing, sir? [12:06:59] [Music is turned off]
62.	SG	[12:07:03] Déjame traértelo.		[12:07:03] Let me bring it to you.
63.	CS	¿Cómo está, caballero? ¿No te acuerdas, que yo vine con el truck [o] el otro día?		How are you doing, sir? Don't you remember, that I came with the truck [o] the other day?
64.	SG	Oh! Dale, pasa, pasa, pasa.		Oh! Right, come in, come in, come in.
65.	CS	Que estoy llamando es [o] al [UI].		Just that I'm calling [UI].
66.	SG	¿Con quién tú viniste?		Who did you come with?
67.	CS	Ah... oh... ése es un pana mio.		Uh... oh... that's a buddy of mine.
68.	UC	¿Cómo estamos, papi?		How are you doing, bro?
69.	CS	Ese hom-... hombre es...		That ma-... man is...
70.	SG	Uh?		Uh?

71.	CS	<i>E-... Ése es pana mío, tú sabes. Pero... estoy llamando a ése hombre, y...</i>	Th-... That's a buddy of mine, you know. But... I'm calling that guy, and...
72.	SG	[UI]?	[UI]?
73.	CS	<i>Sí, pero el teléfono...</i>	Yeah, but the phone...
74.	SG	<i>Es que ayer estuvimos...</i>	The thing is yesterday we were...
75.	CS	<i>El teléfono que él tiene está... el... el... el número que él me... él me llam-... él me dio un número [o] que a mí se me olvidó guardarlo.</i>	The phone that he has... the... the... the number that he... he call-... he gave me a number that I forgot to save.
76.	V4	[12:07:28] [To a child:] <i>Omar, deja eso.</i> [o] <i>Lo vas a romper.</i> [Voices of child and adult continue in background, outside of car.]	[12:07:28] [To a child:] Omar, drop that. [o] You're gonna break it. [Voices of child and adult continue in background, outside of car.]
77.	CS	<i>So, el número que yo tengo es viejo, el de él.</i>	So, the number that I have is an old one, from him.
78.	V4	<i>Déjalo ahí.</i>	Leave it there.
79.	SG	<i>Anoche estábamos juntos, porque...</i>	Last night, we were together, because...
80.	V4	<i>Te estás ensuciando el jacket.</i>	You're getting your jacket dirty.
81.		[Conversation in background, UI]	[Conversation in background, UI]
82.	CS	Uh, ha, ha, ha, ha, ha!	Uh, ha, ha, ha, ha, ha!
83.	SG	[UI] [Passing cars noise]	[UI] [Passing cars noise]
84.	V4	<i>Siéntate ahí.</i>	Sit down right there.
85.	CV	Ah, ha, ha, ha, ha!	Ah, ha, ha, ha, ha, ha!
86.	V4	<i>Siéntate ahí.</i>	Sit down right there.
87.	SG	[UI]	[UI]

88.	CV	Ah, ha, ha, ha, ha, ha!		Ah, ha, ha, ha, ha, ha!
89.	V4	<i>No hales eso. Déjalo así.</i> <p style="text-align: center;">[12:08:00]</p> <i>La silla es para sentar. No es para jugar.</i>		Don't pull that. Leave it like that. <p style="text-align: center;">[12:08:00]</p> The chair is for seating. It's not for playing.
90.	SG	<i>Vamos a hablar.</i>		Let's talk.
91.	CS	Ha, ha, ha, ha, ha!		Ha, ha, ha, ha, ha!
92.	SG	<i>Jeringonza.</i>		Word play.
93.	CS	<i>Jeringonza!</i> Ha, ha, ha!		Word play! Ha, ha, ha!

SECOND OF EIGHT RECORDINGS

Transcription

Translation

68.	CS	Hey!	Hey!
69.	V4	¿Qué?	What?
70.	CS	[12:14:54] At one thirty... to go back.	[12:14:54] At one thirty... to go back.
71.	UC	¿A... a la una y media?	At... at one thirty?
72.	CS	Yeah.	Yeah.
73.	UC	¿No tenia na' ahí?	He didn't have any there?
74.	CS	<p>Nuh-uh. He's waiting for it right now. He's waiting for the big batch. [p] [12:15:44] Go straight. [p] [12:15:58] You can follow that truck right there. [12:16:00]</p> <p>[Phone rings] There you go. Miguelito called me. [p] Yo, what up? What up, son? <i>Nah, aquí tranquilo. Estoy buscando algo. Sí, pero yo te estaba llamando... a... el nu-... el... el número que... que tú me habías da'o, yo no lo guardé. Entonces te estoy llamando al otro número viejo, y... y me sale que no es, ¿entiendes? So, déjame chequear a ver aquí, si me dan el número de este hombre, para yo llamarte. So, entonces él me dijo a mí que te llame, so el mira, tú me llamaste ahora. [p] Pues ciento veinticinco. [p] OK. That's goo-... It's OK. It's OK. Yeah, he told th-... he told me... he</i></p>	<p>Nuh-uh. He's waiting for it right now. He's waiting for the big batch. [p] [12:15:44] Go straight. [p] [12:15:58] You can follow that truck right there. [12:16:00]</p> <p>[Phone rings] There you go. Miguelito called me. [p] Yo, what up? What up, son? Nah, cool over here. I'm getting something. Yeah, but I was calling you... to... the n-... the... the number that... that you'd given me, I didn't save it. So, I'm calling you to the old number, and... and I get that that's not it, you understand? So, let me check here, if they give me this guy's number, so that I can call you. So, then he told me to call you, so he look, you called me now. [p]</p>

		<p>told me that he's go-... uh... uh... to call you, that he was gonna grab... have it ready before one thirty for me, so... OK, no problem. OK. [p] Yeah, definitely. But it's OK. I'll wait. I come and go. Uh, ha, ha, ha, ha, ha, ha! <i>No, yo le dije a... No, yo le dije: "I'm... I'm always ready." Uh? No, yo... yo... que... que... que... ¿Quién? ¿Cómo va a ser?</i></p> <p>[12:18:00]</p> <p>[p] Uh?... Hello?...<i>¿Qué pasó?...Oh, OK. Está bien. No hay problema.</i> [p] Me... uh... uh.. Yo, <i>déjame llamarte... déjame llamarte pa' atrás un segundo. Espérate. Déjame llamar... déjame llamar... déjame llamarte pa' atrás un segundo.</i> [p]</p>		<p>Well, a hundred twenty-five. [p] OK. That's goo-... It's OK. It's OK. Yeah, he told th-... he told me... he told me that he's go-... uh... uh... to call you, that he was gonna grab... have it ready before one thirty for me, so... OK, no problem. OK. [p] Yeah, definitely. But it's OK. I'll wait. I come and go. Uh, ha, ha, ha, ha, ha, ha! No, I told... No, I told him: "I'm... I'm always ready." Uh? No, I... I... that... that... that... Who? How's that possible?</p> <p>[12:18:00]</p> <p>[p] Uh? [p] Hello? [p] What happened? [p] Oh, OK. That's fine. No problem. [p] Call... uh... uh... I... let me call you... let me call you back in a second. Wait. Let me call... let me call... let me call you back in a second. [p]</p>
75.	UC	Why... why are you following him?		Why... why are you following him?
76.	CS	<i>Él me dijo que lo persiga a él.</i>		He told me to follow him.
77.	UC	<p><i>Oh, ¿él te dijo que lo sigas?</i></p> <p>[Throat clearing] I hope he's not going back to the same place.</p>		<p>Oh, he said to follow him?</p> <p>[Throat clearing] I hope he's not going back to the same place.</p>

78.	CS	<p>[p] OK. [p] You want us to follow you? [p]</p> <p>Uh? OK. [p] Good, everything's good. We're gonna have... y-... Yeah, we're gonna have it in a little while. He says it's gonna be ready for me in a little while. [p] Yeah, everything is <i>perfecto</i>. No "<i>problemo</i>", <i>Reimundo</i>. Uh, ha, ha, ha, ha! OK. OK.</p>	<p>[p] OK. [p] You want us to follow you?</p> <p>[p] Uh? OK. [p] Good, everything's good. We're gonna have... y-... Yeah, we're gonna have it in a little while. He says it's gonna be ready for me in a little while. [p] Yeah, everything is "<i>perfecto</i>". No "<i>problemo</i>", <i>Reimundo</i>. Uh, ha, ha, ha, ha! OK. OK.</p>
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THIRD OF EIGHT RECORDINGS

Transcription

Translation

114.	TFO	<p>[13:33:07] ...Maki, again, October fourth, Friday, one thirty-three p.m. We're sending CS back over to one oh seven Union Street, [UI] [static noise] with [UI] Segundo Gutierrez and consummate the original purchase of a hundred twenty-five grams of heroin. Ready to go! [p]</p>	<p>[13:33:07] ...Maki, again, October fourth, Friday, one thirty-three p.m. We're sending CS back over to one oh seven Union Street, [UI] [static noise] with [UI] Segundo Gutierrez and consummate the original purchase of a hundred twenty-five grams of heroin. Ready to go! [p]</p>
143.	CS	<p>Oh. [To phone:] <i>Dime tú. Son la una y media.</i></p> <p>Uh? OK. <i>Claro, eso es lo que... es... es que estoy por aquí... por aquí, por esta área. Llámalo a ver si puedo pasar a buscar eso y ya.</i> OK, bye.</p> <p>[p] You see. Now he's calling him to see if I can just go pick it up over there. ...at the garage, not with Miguel. [To person outside:] <i>Éste lla-... Me dij-... Uh... He's calling right now to see if I can go to pick it up at the garage. You know what I mean? Not with Miguel....</i> [13:37:44] [End of recording]</p>	<p>[To phone:] Tell me. It's half past one.</p> <p>Uh? OK. Sure, that's the... the... the thing, that I'm close by... close by, in this area. Call him to see if I can pass by to get that and that's it. OK, bye.</p> <p>[p] You see. Now he's calling him to see if I can just go pick it up over there. ...at the garage, not with Miguel. [To person outside:] He's call-... He tol-... Uh... He's calling right now to see if I can go to pick it up at the garage. You know what I mean? Not with Miguel....</p> <p>[13:37:44] [End of recording]</p>

FOURTH OF EIGHT RECORDINGS

Transcription

Translation

163.	CS	<p>[13:44:00]</p> <p>[p] [13:45:14] [Phone rings] <i>Dígame, caballero.</i> [p] Uh-huh. OK. [p] <i>No, no me acuerdo, no. No pu-... no puse atención a eso.</i></p> <p>[p] OK. [p] OK. [p]</p> <p>[13:46:00]</p> <p>[13:46:07] Yeah. <i>Está to', está to'. Entonces yo... yo espero que él lo tenga ready entonces para yo buscarlo ahí.</i> Uh, ha, ha. <i>¿Cuánto tiempo estamos en esto? Lo mismo, lo mismo, lo mismo ya.</i> Ha. [p] Uh, ha, ha, ha. [p] <i>Claro.</i></p>	<p>[13:44:00]</p> <p>[p] [13:45:14] [Phone rings] Tell me, sir. [p] Uh-huh. OK. [p] No, I don't remember, no. I didn't p-... I didn't pay attention to that. [p] OK. [p] OK. [p]</p> <p>[13:46:00]</p> <p>[13:46:07] Yeah. All set, all set. Then I... I wait for him to have it ready then for me to go get it there. Uh, ha, ha. How long are we dealing with this? The same, the same, the same already. Ha. [p] Uh, ha, ha, ha. [p] Sure.</p>
164.	UC	[Clears throat]	[Clears throat]
165.	CS	<p><i>Tú sabes. Así es, monstruo.</i> [p] <i>Ah, pues está to'. Está to' entonces. Tú me... tú me llamas cua-... o yo... en veinte minutos yo arrancar pa' allá entonces. Yo no voy a esperar la llamada. ¿En veinte minutos arranco pa' allá?</i></p> <p>[p] <i>Está to', está to'. Está to'. No hay problema. OK. Está to'. No hay problema, monstruo. Gracias.</i> [p] <i>Está to'. Gracias, man.</i></p> <p>OK. [Phone call ends]</p>	<p>You know it. That's how it is, my man.</p> <p>[p] Oh, all set then. All set then. You call... you call me wh-... or I... in twenty minutes I get on my way there then. In twenty minutes I get on my way?</p> <p>[p] All set, all set. All set. No problem. OK. All set. No problem, my man.</p> <p>Thank you. [p] All set. Thank you, man.</p> <p>OK. [Phone call ends]</p> <p>[To TFO and SO]:</p>

		<p>[To TFO and SO]: See? I... He's not even ready. Now, when... when I wa... when I got there, the guy... the guy that was... somebody that was there is the one that brought him the stuff, so he's getting it all ready for me and he wasn't ready for me right now, so he's getting ready for me and he'll be ready for me in... t-... fifteen to twenty minutes, he said he'll be ready. See? He's making it right now.</p>		<p>See? I... He's not even ready. Now, when... when I wa... when I got there, the guy... the guy that was... somebody that was there is the one that brought him the stuff, so he's getting it all ready for me and he wasn't ready for me right now, so he's getting ready for me and he'll be ready for me in... t-... fifteen to twenty minutes, he said he'll be ready. See? He's making it right now.</p>
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FIFTH OF EIGHT RECORDINGS

Transcription

Translation

169.	TFO	[14:24:37] [14:24:42] OK. Recording is on again. Two twenty-five p.m. headed back over to the garage to finish a hundred and twenty gram heroin buy, seventy-five hundred dollars from Segundo Gutierrez.	[14:24:37] [14:24:42] OK. Recording is on again. Two twenty-five p.m. headed back over to the garage to finish a hundred and twenty gram heroin buy, seventy-five hundred dollars from Segundo Gutierrez.
198.	CS	Uh-huh. [p] <i>Yo... yo estoy aquí y la puerta está cerrá'. La primera p-... Sí, dile que yo estoy aquí afuera. OK. ¿Pa' adentro me voy? Oh, OK. Está to'. No hay problema. OK. Le dices que estoy aquí para que abra adentro aquí, ¿está bien? OK. Gracias. [14:31:30]</i> [End of recording]	h-huh. [p] I... I'm here and the door is closed. The first d- ... Yeah, tell him that I'm here outside. OK. Go inside? Oh, OK. All set. No problem. OK. Tell him that I'm here so that he opens here inside alright? OK. Thank you. [14:31:30] [End of recording]

SIXTH OF EIGHT RECORDINGS

Transcription

Translation

206.	UC	[14:34:00] [14:34:52] [Unintelligible phone voice talking]	[14:34:00] [14:34:52] [Unintelligible phone voice talking]
207.	CS	[14:35:35] <i>Dime, caballero. Oh, este... ¿Tú le dijiste, entonces? OK. Está to'. He knows already, so...</i>	[14:35:35] What's up, sir? Oh, uhm... You told him then? OK. All set. He knows already, so...
208.	UC	Uhm?	Uhm?
209.	CS	He knows already, so he should be... go. [Yawns]	He knows already, so he should be... go. [Yawns]
210.	UC	He's there?	He's there?
211.	CS	He's here somewhere.	He's here somewhere.
219.	CS	[14:40:53] OK. <i>Dale, por favor, que me tengo que ir, man. Si no me tuviera que ir, yo no estuviera llamándote a cada rato. OK.</i> [14:42:00]	[14:40:53] OK. Let's go, please, that I gotta go, man. If I didn't have to go, I wouldn't be calling you all the time. OK. [14:42:00]

SEVENTH OF EIGHT RECORDINGS

Transcription

Translation

225.	CS	[14:46:08] [Radio playing continuously] [14:46:13] [Coughs] [14:47:05] I don't see him, Miguel. [p] OK. He says he's coming out right now. We'll see.	[14:46:08] [Radio music playing] [14:46:13] [Coughs] [14:47:05] I don't see him, Miguel. [p] OK. He says he's coming out right now. We'll see.
231.	CS	<i>¿Vamos afuera, caballero, o usted viene pa' acá? ¿Cómo hacemos esto?</i>	Are we going outside, sir, or you're coming in here? How are we doing this?
232.	SG	Uh?	Huh?
233.	CS	<i>¿Cómo estamos?</i>	How are you?
234.	SG	Uh-huh. <i>Aquí tiene.</i>	Uh-huh. Here you go.
235.	CS	<i>Hay setenta y cinco [o] ahí...</i>	There's seventy-five [o] there...
236.	SG	<i>Oye, hazme un favor.</i>	Hey, do me a favor.
237.	CS	<i>Dígame.</i>	Tell me.
238.	SG	<i>Si normalmente eso lo prueba alguien como con cuatro líneas, dile que pruebe dos alante.</i>	If normally somebody tries that with like four lines, tell them to try two first.
239.	CS	<i>Está bien.</i>	OK.
240.	SG	<i>Dude, yo estoy hasta vomitando.</i>	Dude, I'm even throwing up.
241.	CS	Ah, ha, ha, ha, ha, ha, ha!	Ah, ha, ha, ha, ha, ha, ha!
242.	SG	Look, I wear a mask.	Look, I wear a mask.
243.	CS	Yeah.	Yeah.
244.	SG	<i>Ésta es la máscara pintá'. Ugh!</i>	This is the mask painted on. Ugh!
245.	CS	<i>Está to', está to'.</i>	All set, all set.

246.	SG	I don't know how the fuck they can do that.	I don't know how the fuck they can do that.
247.	CS	<i>Está to', está to'. Gracias.</i>	All set, all set. Thank you.
248.	SG	<i>Ten cuida'o, que no puedes...</i> [o] I don't know [UI]	Be careful, you can't... [o] I don't know [UI]
249.	CS	I... I... I got you. I got you. I got you.	I... I... I got you. I got you. I got you.
250.	SG	<i>Hasta en el blender se queda de tan aceitosa que es.</i> What the...!?	Even in the blender it gets stuck from how oily it is. What the...!?
251.	CS	Uh, ha, ha! <i>Está to'. ¡Gracias!</i> [p] That's it. Let's go. [p] [Noise of car accelerating] Whoa! Ha, ha!	Uh, ha, ha! All set. Thank you! [p] That's it. Let's go. [p] [Noise of car accelerating] Whoa! Ha, ha!
252.	TFO	Done deal.	Done deal.
253.	CS	OK. Holy crap.	OK. Holy crap.

CERTIFICATE OF TRANSCRIBER-TRANSLATOR # JF-2018-002-Exhibit 45

I am a United States court-certified interpreter, and I CERTIFY that the above is a faithful transcription of the Spanish and English audiovisual source identified on the cover page, with translation of the Spanish language audio, which I have performed to the best of my ability. It consists of forty (40) pages, including the cover page and this certification sheet, and contains no changes or erasures.

This transcription-translation has been prepared for the case: United States v. Ivan Cruz-Rivera and Carlos Jimenez, 16-CR-40025-TSH.

In Cambridge, Massachusetts, on November 2, 2018.



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